

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 7, 1974
7:00 P.M.Electric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro tem Love
Absent: None

The Invocation was delivered by REVEREND CAL PERMENTER, St. David's Episcopal Church.

BLACK HISTORY WEEK

Councilman Handcox read and then presented a proclamation to Mr. Volma Overton, President of the Austin National Association for the Advancement of Colored People, and Ms. Lynn Lively Carter, declaring the week of February 10-16, 1974, as "Black History Week." Mr. Overton and Ms. Carter thanked the Council and offered an invitation to them to attend the activities for that week.

NATIONAL CRIME PREVENTION WEEK

Mayor Butler read and then presented a proclamation to the following representatives of the Exchange Clubs of Austin proclaiming the week of February 10-16, 1974, as "National Crime Prevention Week."

Dr. M. Lawrence Naumann - President, Exchange Club of Austin
Dr. William Gearhart - President, Exchange Club of Northeast Austin
Mr. Ben Williams - President, Exchange Club of South Austin
Mr. William P. Tryon - President, Chevy Chase Exchange Club
Mr. John Wilson - Division Director, Texas District Exchange Clubs

CERTIFICATES OF APPOINTMENT

Mayor Butler read and then presented Certificates of Appointment by the City Council to the following recently appointed members of the Citizens' Board of Natural Resources and Environmental Quality:

Mrs. Margret Hofmann	Mr. Larry Springer
Mr. S. A. Garza	Mr. Ramiro Diaz
Mr. Eugene Wukasch	Mr. George Slaughter
Mr. Elbert Hooper	Mr. Don Walden

On behalf of the members, Mr. Hooper thanked the Council and indicated that he hoped they would be deserving of the appointments.

INTRODUCTION

Councilman Binder took this opportunity to introduce to the public, the city employees, and his colleagues on the Council his new aide, Mrs. Amy Orum. He indicated he was glad to have Mrs. Orum on his staff.

APPROVAL OF MINUTES

Mayor Pro tem Love moved that the Council approve the Special Meeting Minutes of January 31, 1974, 5:00 P.M., and the Regular Meeting Minutes of January 31, 1974. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler
Noes: None

APPOINTMENTS

Mayor Butler announced that the Council had been in an Executive Session earlier this evening and that several appointments were discussed and were now before the Council for action.

Urban Renewal Board of Commissioners

Councilman Friedman moved that the Council reappoint the following members of the Urban Renewal Board of Commissioners:

Mrs. S. A. Garza	Mr. Felder Thornhill
Mr. Charles Sampler	Mr. Joe E. Leonard
Mr. Lew Troiano	

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love, Councilman Binder
Noes: None

Parks and Recreation Board

Councilman Lebermann moved that the Council appoint the following member to the Parks and Recreation Board:

Ms. Judy Fowler

The motion, seconded by Mayor Pro tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love, Councilmen Binder, Dryden
Noes: None

Library Commission

Mayor Pro tem Love moved that the Council appoint the following members to the Library Commission:

Mrs. Tom Ezelle

Mr. Fred Sackett

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love, Councilmen Binder, Dryden, Friedman
Noes: None

Navigation Board

Councilman Binder moved that the Council appoint the following member to the Navigation Board:

Mrs. Charles Smith

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro tem Love, Councilmen Binder, Dryden, Friedman, Handcox
Noes: None

Building Standards Commission

Councilman Dryden moved that the Council appoint the following members to the Building Standards Commission:

Mr. Phil Robinson
Mr. Ford Smith

Mr. Marcel Rocha
Mrs. Sandra Weinstock

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann
Noes: None

ZONING HEARINGS

Mayor Butler announced that the Council would hear the zoning cases scheduled for 7:00 P.M. for Public Hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

MRS. O. P. LOCKHART	201-211 East 19th	From "C" Commercial
By Miles E. Hutchens	Street	3rd Height and Area
C14-73-245	1817-1819 Brazos	To "C-1" Commercial
	Street	3rd Height and Area
		RECOMMENDED by the Planning Commission

Councilman Dryden moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler,
Mayor Pro tem Love
Noes: None
Abstain: Councilman Friedman

The Mayor announced that the change had been granted to "C-1" Commercial 3rd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

JULIA J. SAWYER	2624-2626 Guadalupe	From "C" Commercial
By Eugene Palmer	Street (locally known	To "C-2" Commercial
C14-73-241	as 2610)	RECOMMENDED by the Planning Commission subject to a subdivision to identify the property

Councilman Friedman moved that the recommendation of the Planning Commission be upheld subject to the conditions. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro tem Love, Councilmen Binder, Dryden, Friedman, Handcox,
Lebermann, Mayor Butler
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial District, subject to the conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

CITY OF AUSTIN
(Area Study initiated by
the Planning Department)
C14-73-253

Bounded on the north
by Kramer Lane, on the
east by Running Bird
Lane, on the south by
Research Boulevard and
on the west by F.M.
1325 (Approximately 415
acres)

From Interim "A" Residence
1st Height and Area
and "A" Residence
1st Height and Area
To "D" Industrial
1st Height and Area
RECOMMENDED by the Planning
Commission subject to condi-
tions set out in Planning
Commission Recommendation

Councilman Handcox moved that the recommendation of the Planning Commission be upheld subject to the conditions. The motion, seconded by Mayor Pro tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro tem Love, Councilman Binder
Noes: None

The Mayor announced that the change had been granted to "D" Industrial District, subject to the conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

REGENCY SQUARE PROPER-
TIES, INC.
By Will Garwood
C14-73-254

615-721 East 11th
614-720 East 10th
also bounded by I.H.
35 (on the east)

From "C" Commercial
3rd Height and Area
"C" Commercial
2nd Height and Area
"B" Residence
2nd Height and Area
To "C" Commercial
4th Height and Area
RECOMMENDED by the Planning
Commission subject to a
subdivision to combine the
tracts into one tract

Councilman Friedman moved that the recommendation of the Planning Commission be upheld subject to the conditions. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor
Pro tem Love, Councilmen Binder, Dryden
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 4th Height and Area District, subject to the conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

RANDOLPH A. HAYNES, JR. 3408 Burleson Road
 By Martin H. Boozer, Jr.
 C14-73-247

From "A" Residence
 To "BB" Residence (as amended)
 RECOMMENDED by the Planning
 Commission as amended

Mayor Pro tem Love moved that the recommendation of the Planning Commission be upheld as amended. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love,
 Councilmen Binder, Dryden, Friedman
 Noes: None

The Mayor announced that the change had been granted to "BB" Residence District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

MAUDINE O. CLOER 2700-2704 South First
 By Paul W. Jones, Jr. Street
 C14-73-229 601-603 Cumberland
 Road

From "A" Residence
 To "O" Office (as amended)
 RECOMMENDED by the Planning
 Commission as amended subject
 to a 6' privacy fence where
 adjoining "A" Residence
 zoning

Mayor Pro tem Love moved that the recommendation of the Planning Commission be upheld as amended, subject to the conditions. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro tem Love,
 Councilmen Binder, Dryden, Friedman, Handcox
 Noes: None

The Mayor announced that the change had been granted to "O" Office District as amended, subject to the conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

K R T, INC. 2009-2109 Banister
 By James A. Brady Lane
 C14-73-252 1124-1210 West Ben Whi
 White Boulevard

From "A" Residence
 and "B" Residence
 To "GR" General Retail
 and "O" Office (as amended)
 RECOMMENDED by the Planning
 Commission as amended "GR" to
 a depth of 200' from Ben White
 Boulevard, "O" on the remain-
 ing portion of the tract; sub-
 ject to r-o-w on Banister Lane
 to bring this street up to
 70' and subject to a sub-
 division

Councilman Friedman moved that the recommendation of the Planning Commission be upheld as amended, subject to the conditions. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro tem Love, Councilmen Binder, Dryden,
Friedman, Handcox, Lebermann
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail District and "O" Office District as amended, subject to the conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JENNIE L. LOPER &
RILEY G. LOPER
By Jon N. Wisser
C14-73-243

5125 Bruning Avenue
Rear of 5109 Evans
Avenue

From "A" Residence
To "O" Office
RECOMMENDED by the Planning
Commission subject to one-
half the r-o-w (7-1/2') to
increase Bruning Avenue from
45' to 60'; subject to a
subdivision to identify the
property

Mr. Jon N. Wisser, representing the applicant, appeared before the Council requesting that this be granted. He indicated the zoning was to be changed from "A" Residence District to "O" Office District because of the high traffic flow and stated that the owners lived two blocks from where the office would be built. Councilman Dryden moved that the Council uphold the recommendation of the Planning Commission, subject to the conditions. The motion, seconded by Mayor Pro tem Love, failed to carry by the following vote:

Ayes: Councilman Dryden, Mayor Butler, Mayor Pro tem Love
Noes: Councilmen Binder, Friedman, Handcox, Lebermann

The Mayor announced that the motion had failed to carry and the change had been DENIED.

SAM HERNANDEZ TRUJILLO 4805 Westgate Boulevard
C14-73-242 2620 Choctaw Trail

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission

Mayor Pro tem Love moved that the Council DENY the zoning change. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro tem Love, Councilmen Binder, Dryden, Friedman, Handcox,
Lebermann, Mayor Butler
Noes: None

The Mayor announced that the change from "A" Residence District to "O" Office District had been DENIED.

P. M. BRYANT
By Martin H. Boozer, Jr.
C14-73-248

2642-2700 Metcalfe Road

From Interim "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area
NOT Recommended by the
Planning Commission

The applicant requested that this be postponed and rescheduled for 6 months. Mr. Woodrow Sledge, Austin Independent School District, wanted to remind the Council that this was the second time the request had been before the Council. Councilman Lebermann moved that the Council grant the applicants' request for a six-month postponement. The motion was seconded by Mayor Pro tem Love. Councilman Lebermann then withdrew his motion. Mr. Martin H. Boozer, Jr., representing the applicant, asked that this be referred to the Zoning Commission to work out further details of this proposed purchase by the school district. Councilman Lebermann then moved that the Council uphold the recommendation of the Planning Commission to DENY the change. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro tem Love, Councilman Binder
Noes: None

The Mayor announced that the change had been DENIED.

BAKER-CROW COMPANY
By Maury Hood
C14-73-013

Bounded on the west by
Mesa Drive, on the south
by Cima Serena Drive and
on the east by Tallwood
Drive. (Balcones Civic
Association)

106 attached and detached
single-family dwelling
units with recreation
facilities and common open
space, called "Austin Woods
Cluster Housing," a planned
unit development.

Upon the request of the proponents and opponents, Mayor Pro tem Love moved that the Council postpone the zoning change hearing indefinitely. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor
Pro tem Love, Councilmen Binder, Dryden
Noes: None

The Mayor announced that the hearing had been postponed indefinitely.

Applications which are recommended for DISMISSAL - no action has been taken by applicant to complete conditions during allocated time:

Mayor Pro tem Love moved that the Council DISMISS the following zoning changes:

A.D. & CARRIE H. EBERHART By Charles B. Perkins C14-73-052	6306-6328 South 1st Street 700-710 Eberhart Lane	From Interim "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area
EMILE L. STRYK, ET UX By Sam Meyers C14-73-060	500 West 35th Street	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area
JIMMIE R. GARZA By Sam Meyers C14-73-061	406 West 35th Street	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area
JAMES H. ARNOLD C14-73-127	8447-8553 Research Boulevard	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None

Applications which are recommended for ninety-day EXTENSIONS - conditions in the process of completion:

Mayor Pro tem Love moved that the Council EXTEND the following zoning changes for 90 days:

JOHN J. MCKAY, TRUSTEE C14-69-145	4600-4616 F.M. 969 (East 19th Street) 4301-4501 Springdale Road	From "A" Residence To "C" Commercial
FRED C. MORSE By Richard C. Baker C14-72-145	6902-6926 Ed Bluestein Boulevard	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area (Tract 1) "BB" Residence 1st Height and Area (Tract 2) (as amended)

MARGARET E. HAYS, ET AL By H. Glen Cortez (D.W. Morris, new agent) C14-72-178	1502-1512 Wheless Lane	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area
JACQUELYNE TIEMANN By Richard C. Baker C14-72-202	4100-4232 Ed Bluestein Boulevard	From Interim "A" Residence 1st Height and Area To "C" Commercial 5th Height and Area
EDWARD G. SIEGMUND, ET AL By Robert C. Sneed C14-72-203	4234-4418 Ed Bluestein Rear of 4100-4232 Ed Bluestein Boulevard 4101-4427 Tannehill Lane	From "A" Residence To "A" Residence "B" Residence "LR" Local Retail "GR" General Retail (as amended)
RICHARD DORRELL C14-73-024	8315-8505 Balcones Drive	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area (as amended)
MOTON H. CROCKETT, JR., ET AL By Robert C. Sneed C14-73-041	126-152 East River- side Drive	From "C-2" Commercial 2nd Height and Area and "D" Industrial 2nd Height and Area To "C" Commercial 3rd Height and Area
THOMAS P. FRANCIS, ET UX By Phil Mockford C14-73-048	509-517 Alpine Road 3601-3613 South First Street	From "B" Residence To "LR" Local Retail
CLEAR CREEK PROPER- TIES, INC. C14-73-057	5305-5509 Nuckols Crossing Road 6601-6719 South Pleasant Valley Road	From Interim "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area
WALTER L. SNOWDEN, ET AL C14-73-081	4610-4612 Connelly Street	From "A" Residence To "O" Office
W. W. PATTERSON, ET AL By Larry Niemann C14-73-085	835-955 U.S. Highway 183, East (Tract 1) 1001-1035 U.S. Highway 183, East (Tract 2) 1063-1139 U.S. Highway 183, East (Tract 3)	From Interim "A" Residence 1st Height and Area and "D" Industrial 1st Height and Area To "C" Commercial 1st Height and Area

W. L. MAYFIELD By Bryant-Curington, Inc. (Doren Eskew, new agent) C14-69-190	3625-3919 Cima Serena Drive	From Interim "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area
DOUGLAS DUWE, ET AL. C14-72-181	Rear of south side of 200-500 block of San Jose Street (Tracts 2 and 3 only)	From "A" Residence To "B" Residence and "BB" Residence
DICKSON PROPERTIES, INC., ET AL C14-72-204	Bounded by Colorado River, East Riverside Drive & Pleasant Valley Road	From Interim "A" Residence 1st Height and Area To "B" Residence 3rd Height and Area "BB" Residence 2nd Height and Area "BB" Residence 1st Height and Area "LR" Local Retail 1st Height and Area and "GR" General Retail 1st Height and Area
DAVIS & DANZE, INC. By Martin H. Boozer, Jr. C14-72-206	1100-1104 West 38th Street 3800 Medical Parkway	From "C" Commercial 1st Height and Area "A" Residence 1st Height and Area "GR" General Retail 1st Height and Area To "C" Commercial 2nd Height and Area (as amended)
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS By Boyd W. Strong (Tom Curtis, new agent) C14-73-062	923 Clayton Lane	From "A" Residence 1st Height and Area To "GR" General Retail 2nd Height and Area
JACK McCREARY By Robert C. Sneed C14-73-073	Bounded by U. S. Highway 183, Old Cameron Road and Waller Creek	From Interim "A" Residence 1st Height and Area To "B" Residence 1st Height and Area and "GR" General Retail 3rd Height and Area
TRUMAN MONTANDON By Martin H. Boozer, Jr. C14-73-101	608-700 Middle Lane 9200-9210 I.H. 35	From "A" Residence To "GR" General Retail

ARTHUR SMITH, ET UX By Phil Mockford C14-73-103	1711-1811 Kramer Lane	From Interim "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
CROW-HANDY ANDY HOUSTON VENTURE, ET AL By Charles R. Paul C14-73-120	1305-1329 Rutland Drive	From "B" Residence To "A" Residence (Tract 1) and "GR" General Retail (Tract 2)
J. E. HILL By Martin H. Boozer, Jr. C14-73-123	East side of U.S. Highway 183 from intersection with Angus Valley Road to approximately 300' north of Balcones Woods Drive	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area and "A" Residence 1st Height and Area

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None

ANNEXATION

Mayor Butler brought up the following annexation, stating that it was a postponement from January 24, 1974, pending discussion among Mr. Dick Lillie, Director of the Planning Department, and any property owners in the area. Mr. Lillie recommended the annexation of the entire area.

Total of 1,145.99 acres of land out of the WILLIAM CANNON LEAGUE and SANTIAGO DEL VALLE GRANT:

1. Tract 1: 569.00 acres of land out of the William Cannon League and the Santiago Del Valle Grant - Circle S Ridge; Resubdivision of Lot 21 and north part of Lot 22, Block B, Circle S Ridge, Section One, Davis and Puryear Addition; R. O. Davis Addition; LaFuente Subdivision; L. I. Powell Subdivision, San Antonio Road Addition; Resubdivision Lots 5, 6, 7, 8, 9, 10 and 11, Block E, and Lots 1 and 7, Block F, San Antonio Road Addition; San Antonio Road Addition, Section 3; Annie E. Shackelford Subdivision and unplatted land; and portions Circle S Road, East Dittmar Road, Corral Lane, Chaparral Road, Bluff Springs Road, Old Crow Lane, Little Texas Lane and Goodnight Lane. (initiated by City of Austin)

Mr. John Tyler, representing John Roberts, Inc., wanted to submit additional comments as to why the Council would choose to annex:

- a. Requests of residents and businesses in that area. He stated that this was not the case in this tract.
- b. Prevention of things that might be detrimental to residents and businesses in that area. He indicated that he saw no way annexation would improve the City in this area and that no one would profit from annexation.
- c. Tax base of the City would be raised.

In closing, Mr. Tyler stated that it would probably be ill-advised for this area to be annexed.

2. Tract 2: 99.62 acres of land out of the William Cannon League - unplatted land. (initiated by City of Austin)

No one spoke for or against this tract.

3. Tract 3: 50.83 acres of land out of the William Cannon League:

- a. 26.25 acres of land - Beaconridge I. (requested by Bryant-Curington, Inc., as agent for the owner, Fawnridge Development Company)
- b. 24.58 acres of land - portions of South First Addition Section One, Austin Independent School District tract of land and unplatted land; and portions of South First Street, Dittmar Road, Mairo Street and Blue Valley Drive. (initiated by City of Austin)

Mr. Woodrow Sledge, Austin School District, again requested the annexation of this tract reiterating that plans for a proposed scholastic site had been drawn and that the school would be needed by Fall of 1975.

4. Tract 4: 426.54 acres of land out of the William Cannon League - Damon A., Almeta S. Richter Kuyus Subdivision; Hattie M. Marx Subdivision; a Resubdivision of Lot 1 of a Resubdivision of a portion of R. A. Nowlin's Subdivision; Swanson's Gardens and Wattering Acres; and portions of South First Street; Slaughter Lane, Peaceful Hill Road, South Congress Avenue, Dittmar Road, Mairo Street and Blue Valley Drive and unplatted land. (initiated by City of Austin)

Mr. Fred Orr, resident in Tract 4, questioned the City's ability to provide the necessary utilities within the three-year period and hoped that the Council would give this area consideration.

Mr. Lillie and Mr. Curtis Johnson, Director of Water and Wastewater, listed the services that would be available to the area.

Councilman Binder moved that the Council approve the annexation as recommended and direct the administration to institute annexation proceedings. The motion, seconded by Councilman Lebermann, failed to carry by the following vote:

Ayes: Councilmen Binder, Handcox, Lebermann
Noes: Mayor Butler, Mayor Pro tem Love, Councilmen Dryden, Friedman

After discussion, Mayor Pro tem Love moved that the Council approve the annexation of Tract 3 including the 500' strip to connect with present City limits and the three additional areas and direct the administration to institute annexation proceedings. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro tem Love, Councilmen Binder, Dryden, Friedman, Lebermann
Noes: Councilman Handcox

Councilman Binder moved that the Council approve the annexation in Tract 1. The motion, seconded by Councilman Lebermann, failed to carry by the following vote:

Ayes: Councilmen Binder, Lebermann
Noes: Councilmen Friedman, Dryden, Handcox, Mayor Butler, Mayor Pro tem Love

ACQUISITION OF LAND

Mayor Pro tem Love announced that the Council had discussed purchase of property in the Executive Session. Mayor Pro tem Love moved that the Council approve the purchase of 10 acres in the Colony Park Subdivision. These 10 acres, in addition to the 20 acres dedicated by the developer, will be used for open space and recreational use. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love
Noes: None

APPEAL - TEAGUE-BUDA, INC.

Mayor Butler opened the hearing scheduled for 8:00 P.M. on an appeal of the decision of the Planning Commission to grant Teague-Buda, Inc., a permit to enclose Harper's Branch. (Appeal filed by Mrs. Harriet E. Buxkemper for the residents in the Harper Creek area.) Mr. Robert Davis, representing Teague-Buda, Inc., indicated that an agreement between the opponents and the proponents had been reached and submitted a letter to the Council signed by Mr. Davis, Mr. Louis Barbash, and Mrs. Buxkemper which stated that the application of Teague-Buda, Inc., should be granted subject to the following conditions:

1. Restrictive covenant.
2. Other understandings that the opponents and proponents had reached.

He stated that the Commission had approved the request allowing the alteration of the Creek in accordance with the permit but providing that before any building would be constructed, a special permit would be submitted for approval.

In addition, the two parties agreed that a special permit be submitted and approved before any piping of the Creek would occur and were in agreement that the permit be substantially in accordance with the plan that was submitted to the Planning Commission for the layout of what buildings would be constructed. Further conditions on set back and buffers were included. To try to protect the integrity of their neighborhood, the residents in the area indicated that they would like to see Reagan Terrace Street closed. Teague-Buda, Inc., agreed that they would file an application to vacate the street with the neighbors' support and with processing.

Mr. Louis Barbash, Harper Creek area, indicated that there were a number of items they did not like about the agreement but were hoping that ultimately the Creek would not be closed and that something would be built on the property. In closing, he stated that they felt justified by the concessions they had gotten. Mr. Vincent Valdez, resident Harper Creek area, stated that Reagan Terrace was right behind his property and that closing the street would create a dead end at his driveway causing people to back out of his driveway. He expressed the opinion that others in the area would not want the street closed. Mrs. Buxkemper stated that there had neither been the opportunity nor the time to talk to neighbors about vacating the street.

After discussion, Mayor Pro tem Love moved that the Council close the hearing and refer to the City Attorney, Mr. Don Butler, and the City Manager, Mr. Dan Davidson, for review the document drawn between the two parties. They were requested to submit their recommendation to the Council on February 14, 1974. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love, Councilmen Binder, Dryden
Noes: None

CONTRACTS AWARDED

Mayor Pro tem Love moved the Council adopt a resolution awarding the following contracts:

1. Trucks and Bodies:
Vehicle and Equipment Services Department

- a. INTERNATIONAL HARVESTER - Bid Items 1, 3, 13, 14, 15, 17, 22,
COMPANY 25, 26, 27, 28, 30, 31, 32, 35, 36,
4711 East Seventh Street 37.1, 38, 42, 50, 51.1, 52.1, 53.1,
Austin, Texas 54.1, 55, 56.1, 57, 58.1, 59.1, 60.1,
61.1, 62.1, 64, 65.1, 66, 67, 68.1,
69, 70, 71, 72.1, 73.1, 74.1, 75.1,
76.1, 77, 78, 79.1, 80.1, 81.1 -
104 Units - \$709,951.00
- b. LIEF JOHNSON FORD - Bid Items 6, 7, 39.1, 40, 41.1, 45.1,
501 East Koenig Lane 49, 82 - 12 Units - \$78,422.00
Austin, Texas
- c. HENNA CHEVROLET - Bid Items 2, 5, 8, 9, 10, 11, 12, 16,
7522 North Inter- 18, 19, 20, 21, 23, 24, 29, 33, 34,
regional 43, 44, 46, 48.1, 63.1 - 47 Units -
Austin, Texas \$171,261.00
- d. UTILITY EQUIPMENT - Bid Items 39.2, 59.2, 61.2, 74.2 -
CORPORATION 6 Units - \$84,992.00
5305 North Santa Fe
Oklahoma City,
Oklahoma
- e. HOBBS TRAILERS - Bid Items 37.2, 41.2, 45.2, 53.2,
6700 South Flores 54.2, 58.2, 65.2, 68.2, 76.2 -
San Antonio, Texas 22 Units - \$86,610.38
- f. COMMERCIAL BODY - Bid Items 48.2, 72.2, 75.2, 80.2 -
CORPORATION \$47,929.60
Fifth at Pedernales
Austin, Texas
- g. DAVIS TRUCK & EQUIP- - Bid Items 79.2, 83, 83.2 - 16 Units
MENT COMPANY with 4 Trade-ins - \$91,920.00
520 Crescent Drive
Waco, Texas
- h. TRUCK SPECIALTY - Bid Items 52.2, 56.2, 63.2 - 8 Units -
COMPANY \$22,639.10
6540 South Inter-
regional
Austin, Texas
- i. NAYLOR CORPORATION - Bid Item 81.2 - 1 Unit - \$8,380.00
1027 Stanley
Denton, Texas
- j. PLAINS MACHINERY - Bid Item 73.2 - 1 Unit - \$7,705.00
COMPANY
2235 Loop 410
San Antonio, Texas

- k. GENERAL LEASING CORPORATION
1500 Baltimore
Kansas City,
Missouri - Bid Item 60.2 - 2 Units - \$7,559.00
1. ALEMITE COMPANY OF
SAN ANTONIO
5705 Fairlane
Austin, Texas - Bid Item 62.2 - 1 Unit - \$7,035.76

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None

Mayor Pro tem Love moved that the Council adopt a resolution awarding the following contract:

COMBUSTION DIVISION - For Holly No. 1 Steam Turbine
COMBUSTION ENGINEERING, Boiler Repair - \$18,000.00
INCORPORATED
3334 Richmond Avenue
Houston, Texas

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None

Mayor Pro tem Love moved that the Council adopt a resolution awarding the following contract:

WESTINGHOUSE ELECTRIC CORPORATION - For supervisory engineering service
for tri-annual disassemble, inspection and preventive maintenance work,
1455 West Loop South Holly No. 1 Steam Turbine - \$9,300.00
Houston, Texas

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None

ISSUANCE OF NOTICE

Councilman Friedman moved that the Council authorize the issuance of notice of intention to issue certificates of obligation in the amount of \$1,800,000.00 for the acquisition of land and buildings, and authorizing issuance of notice of intention to sell such certificates for cash, and of the intent to receive sealed proposals for the purchase of the certificates from the City. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilmen Binder, Dryden, Friedman, Handcox
Noes: None

FAMILY PLANNING SERVICE CONTRACT

Councilman Friedman moved the Council adopt a resolution authorizing the City Manager to contract with the State Department of Public Welfare for Family Planning Service. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro tem Love, Councilmen Dryden, Friedman,
Handcox, Lebermann
Noes: None
Not in Council Chamber when roll was called: Councilman Binder

ESTABLISHING ONE-WAY STREET

Mayor Pro tem Love moved that the Council adopt a resolution establishing the following one-way street:

<u>ON</u>	<u>FROM</u>	<u>TO</u>	<u>DIRECTION</u>
W. Milton Street	Bouldin Avenue	S. Fifth Street	Westbound

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann, Mayor Butler
Noes: None
Not in Council Chamber when roll was called: Councilman Binder

ACCEPTANCE OF GRANT

Councilman Handcox moved that the Council adopt a resolution authorizing the acceptance of a grant from the Governor's Committee on Aging to implement the Austin/Travis County Senior Luncheon Program. Total Cost \$149,082, of which \$134,136 will be federal funds (Administration on Aging) and \$14,946 will be locally provided in-kind services. Contract - February 1, 1974 to January 31, 1975; Administered by the Parks and Recreation Department. The motion, seconded by Mayor Pro tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro tem Love
Noes: None
Not in Council Chamber when roll was called: Councilman Binder

ENGINEERING TESTING SERVICES

Mayor Pro tem Love moved that the Council select Trinity Engineering Testing Corporation for engineering testing services in connection with the following Capital Improvements Program Project:

North Austin Area (Lanier) Swimming Pool - Capital
Improvements Program Project No. 8657 0

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro tem Love

Noes: None

Not in Council Chamber when roll was called: Councilman Binder

Mayor Pro tem Love moved that the Council select Snowden & Meyer, Inc., for soils investigation and engineering testing services in connection with the following Capital Improvements Program Projects:

1. Manor Road widening (Bridge) - Capital Improvements
Program Project No. 6219 0
2. Webberville Road/Boggy Creek (Bridge) - Capital
Improvements Program Project No. 6224 1
3. Jain Lane/Boggy Creek (Bridge) - Capital Improvements
Program Project No. 6514 3

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor
Pro tem Love, Councilmen Binder, Dryden

Noes: None

Mayor Pro tem Love moved that the Council select Stapp-Hamilton & Associates, Inc., for soils investigation and engineering testing services in connection with the following Capital Improvements Program Projects:

1. Red River Street Relocation - Capital Improvement
Program Project No. 6274 0
2. Additional Lime Sludge Disposal Site (Water Treatment
Process Waste By-Product) - Capital Improvements
Program Project No. 4930 0

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor
Pro tem Love, Councilmen Binder, Dryden

Noes: None

INTERIM AGREEMENT BETWEEN AUSTIN AND L.C.R.A.

Mr. R. L. Hancock, Director Electric Utility Department, submitted the following information to the Council:

This vehicle provides for rather extensive preliminary work with respect to the development of the proposed joint, either a coal or lignite-fired generation, facility between the City of Austin and the Lower Colorado River Authority. The agreement provides for the development of a management committee that will direct the development of the project. It authorizes that committee to make certain commitments with respect to engineering studies, with respect to siting studies, with respect to fuels, and with respect to some items that have extremely long lead time associated with them. The project is under extremely tight schedule due to the fact that L.C.R.A. has to have additional generation on line by 1978; and we have had preliminary indications that if the project moved extremely well and decisions were quickly forthcoming, there is a possibility of getting the unit on stream for 1978. This interim agreement anticipates the preparation of a participation agreement within 6 weeks that will provide the firm commitment by both entities toward the project; and upon completion and execution of that document, both parties would be committed to the project.

The agreement is to be drawn up that in the event Austin withdraws from the project, L.C.R.A. will retain the rights to the engineering studies that have been made; and Austin will be reimbursed for its expenditures. In the event both parties withdraw from the project, the cost will be split 50/50. The cost incurred under the interim agreement will be fairly well restricted to various engineering studies associated with the development of the fuel studies and the siting studies and some of the engineering activity that will have taken place. If the participation agreement is developed on the time schedule that we have anticipated, it will be limited to a reasonably small sum of money. There are many accounting, financing, and administrative problems to be addressed by the management committee that will be composed of two representatives from each entity. Committees will have to be appointed to address these problems, and mutually agreeable methods of attending to the accounting and financing will have to be worked out at that time.

The participation agreement will be a rather lengthy legal document that will address all of the contingencies that might develop and will provide as much security as possible for each entity. Financial participation and capacity participation will have to be agreed upon between the two entities and will probably not be 50/50; but the voting strength within the management committee that is anticipated to direct the project will be on a 50/50 basis. Each entity would have equal vote.

Essentially, if this interim agreement is approved, this automatically names Bechtol Corporation as the consultant on this project. They presently are committed to the preliminary phases; but as the project develops, they will be committed to the total project because L.C.R.A. has already engaged them. They have background that would probably cost Austin at least three to four months if Austin attempted to make a change. One of the reasons that commitment has previously been made is the fact that L.C.R.A. is on such an extremely tight schedule with respect to this project. It was to be an oil and gas unit, and they had indications that they might be able to switch to a coal unit. Of course, it is very advisable to get off oil and gas as soon as possible. Consequently, they moved in that direction; and as a result of Austin's interest in a joint project that would use coal fuel, it was appropriate for Austin to pursue this project as rapidly as possible.

After discussion, Mayor Pro tem Love moved that the Council approve the interim agreement between the City of Austin and the Lower Colorado River Authority for the electric generating facility. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None
Not in Council Chamber when roll was called: Councilman Handcox

TEMPORARY RENTAL

Mayor Pro tem Love moved that the Council authorize the City Manager to execute an agreement for the temporary rental of certain property for Municipal purposes. The motion, seconded by Councilman Dryden, carried by the following vote: (Reuben Johnson block, 2nd and Lavaca)

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None
Not in Council Chamber when roll was called: Councilman Handcox

OFFICIAL HOLIDAYS FOR 1974

Councilman Lebermann moved that the Council designate the following as official holidays for 1974:

New Year's Day	- January 1
Memorial Day	- Last Monday in May
Independence Day	- July 4
Labor Day	- First Monday in September
Veteran's Day	- Fourth Monday in October
Thanksgiving	- Fourth Thursday in November
Friday after Thanksgiving	-
Christmas Day	- December 25

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro tem Love, Councilmen Binder, Dryden,
Friedman, Lebermann

Noes: None

Not in Council Chamber when roll was called: Councilman Handcox

SOUTH CONGRESS AVENUE PARKING

Mr. James H. Maloy, representing merchants on South Congress Avenue, appeared before the Council requesting consideration of a petition filed on October 5, 1973, containing 88 signatures, to retain diagonal parking on South Congress. He stated that the small businessmen would lose half their parking and approximately 25% of their income. A gentleman appeared stating that he owned a transmission, garage, and body shop on South Congress and was very much against parallel parking.

Mr. Joe Ternus, Director of Urban Transportation, presented a proposal to convert the parking on South Congress from diagonal to parallel to provide more area to enable the installation of three thru-lanes and a two-way left-turn lane. He requested this conversion for several reasons:

1. Increasing number of accidents caused by turning problems and traffic flow.
2. Improve traffic flow (presently 20,000 vehicles a day.)
3. Provide for additional parking facilities.
4. Angle parking more hazardous than parallel parking.

In closing he stated that the primary benefit would be in safety and that the primary issue would be the ability to provide a left-turn lane and thru-lanes of traffic.

Mr. Ted Nuse, South Austin Civic Association, appeared requesting that conversion and read a letter from Mr. John Byram, property owner on South Congress, who requested the conversion expressing the opinion that it would provide businesses and the general public a greater degree of convenience and safety. In closing, he urged the Council to approve this conversion. Mr. Joe Gieselman spoke on behalf of Mr. Paul Reiz with the Division of Comprehensive Planning, the Department of Community Affairs, located at 611 South Congress (the Byram Building) requesting the improvements. He indicated their primary concern was for the left-turn lane. Mr. John Harris, President of the South Austin Civic Association, stated that his organization was for the concern for the greatest number of people. He reviewed the petition filed by the merchants on South Congress. He indicated there would be a substantial reduction in collisions. Mr. Ternus requested that the Transportation Department be allowed to work with the property owners and to install parallel parking where businesses would permit.

After discussion, Mayor Pro tem Love moved that the Council approve installation of two thru-lanes and a two-way left-turn lane and the retention of diagonal parking with a review in six months of traffic flow, lane changing, and diagonal parking. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro tem Love, Councilmen Binder, Dryden, Friedman,
Lebermann, Mayor Butler
Noes: None
Not in Council Chamber when roll was called: Councilman Handcox

BEER AND WINE PERMIT REQUEST

Mr. Richard Barrett appeared before the Council requesting approval for the sale of beer and wine in conjunction with the operation of his restaurant located at 413 West 23rd Street, which is located within 300 feet of the Congregational Church of Austin. Mr. Barrett appeared before the membership of the Church and obtained their permission to sell beer and wine within the 300-foot limitation set out by Section 14.4 of the Austin City Code. This section specifies the distance of a place of business from a church, school or hospital. He submitted a letter to the Council requesting their approval. The City Attorney stated that this required an amendment to the ordinance. After discussion, Mayor Pro tem Love moved that the Council schedule a public hearing at 1:00 P.M. on February 21, 1974, to consider an amendment to Section 14.4 of the Code. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor
Butler, Mayor Pro tem Love
Noes: None

REQUESTING USE OF AUDITORIUM SHORES

Mr. Ronald Bird, President Northwest Sertoma Club, appeared before the Council requesting use of the Auditorium Shores to be used for the eighth "Sertoma Poor Boy Arts and Crafts Fair," on April 6 and 7, 1974. Mayor Pro tem Love moved that the Council approve the request. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro tem Love, Councilman Binder
Noes: None

ELECTRIC RATE INCREASE

Mr. B. F. Parham, representing residents of Angus Valley and the Angus Valley Optimist Club, and Mr. E. Diamond, Angus Valley, appeared before the Council to register a complaint about unfair electric rate increase billing. This district was normally billed at the end of the month; but because of the holidays, they received their bills January 2, 1974, reflecting the recent rate increase of 17.8%. Mayor Butler stated that in the event of another rate increase, the billing cycle would be rotated so that this district would not be paying at the first of the month. The Council indicated that it had not intended to do this area an injustice.

ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: (1) LOT "A" OF "THE PHIL MILLER ADDITION," LOCALLY KNOWN AS 1306-1308 EDGECLIFF STREET, FROM "B" RESIDENCE DISTRICT, "A" RESIDENCE DISTRICT AND "O" OFFICE DISTRICT TO "O" OFFICE DISTRICT; AND (2) A ONE-HALF ACRE TRACT OF LAND, LOCALLY KNOWN AS 1218-1220 EAST LIVE OAK STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Phillip John Miller, C14-73-160; Charles E. Arnold & Adolph Reinhardt, C14-73-210)

Mayor Pro tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love, Councilman Dryden

Noes: None

Not in Council Chamber when roll was called: Councilmen Friedman, Binder

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 2, RUTLAND SQUARE, LOCALLY KNOWN AS 1735 RUTLAND DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (C. C. Cook, Ray Thomas and Bernard Lauterborn, C14-73-218)

Mayor Pro tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilman Dryden

Noes: None

Not in Council Chamber when roll was called: Councilmen Friedman,
Binder

The Mayor announced that the ordinance had been finally passed.

VACATING PORTION OF RIGHT OF WAY

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF STREET RIGHT-OF-WAY AT THE INTERSECTION OF REDBUD TRAIL AND LAKE AUSTIN BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR RIGHT-OF-WAY AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately (pursuant to agreement of City and University of Texas Board of Regents). The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilman Dryden

Noes: None

Not in Council Chamber when roll was called: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

REVISED GOLF FEES

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 24-2.1(a) OF THE AUSTIN CITY CODE OF 1967, TO ESTABLISH NEW PUBLIC GOLF COURSE FEES; TO ESTABLISH A GOLF CAPITAL IMPROVEMENTS SURCHARGE; CREATING THE GOLF CAPITAL IMPROVEMENTS RESERVE FUND; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro tem Love,
Councilmen Binder, Dryden, Friedman

Noes: Councilman Handcox

The Mayor announced that the ordinance had been finally passed.

Following are the fees passed by the Council:

Municipal, Morris Williams, Jimmy Clay

Regular Round	\$ 2.50
Regular Round (weekend)	2.75
Evening Round	1.75
Evening Round (weekend)	2.00
Senior Round	2.00
Junior Round	1.00
Annual Fee	150.00

Hancock

Regular Round	\$ 2.50
Regular Round (weekend)	2.75
Short Round	1.75
Short Round (weekend)	2.00
Senior Round	1.00
Junior Round	.50
Annual Fee	150.00

Special U.T. Rates - Municipal Only

Faculty	
Annual Fee (7 days)	\$155.00
Students	
Annual Fee (7 days)	105.00
Semester Fee (7 days)	35.00
Golf Team	no charge
Intramural Golfers (regular round)	1.00

All Courses

College Golf Team Players	
Semester Fee	\$ 30.00

Capital Surcharge (on all rounds)

Special (Junior and Senior Players only)	\$.25
Regular (all other players)	.50

High school fees omitted by the Council.

SCHOOL CROSSINGS REPORT

In response to the request of Mrs. Wilhelmina Delco, Austin School Board, the Transportation Department prepared a report in answer to suggested improvements for school safety. A copy of this report was forwarded to Mrs. Delco and to the Superintendent of Schools. It was stated that the department is waiting to hear from school officials as to further action.

UTILITY DEPOSITS REPORT

On Councilman Friedman's request, Mr. Homer Reed, Deputy City Manager, presented to the Council a report on utility deposit policy. The policy concerns partnerships, marriages and other associations. He stated that the policy would be amended into specific groups, the intent of which is to assure the following:

1. Any individual in any association who builds up a good credit rating with the City which would qualify him for a return of his deposit, would be able to carry over his good credit rating should he separate through divorce or through a business enterprise.
2. This would also apply to a single individual who has established a credit rating who should decide to marry or enter into a business partnership. This would carry over.

Councilman Friedman moved that the Council accept the City Manager's report effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann
Noes: None

ALLOCATION OF WATER SYSTEM REVENUES

The Council members were furnished a written copy of the Mayor's proposal to amend Austin's refund contract policy. The Mayor stated that in his view the amendment allowed the good, positive, beneficial aspects of the policy to continue and prevent any negative impact on the City's financial situation in the event that water rates should escalate, as they thought they would. He reviewed the policy adopted in October, 1953, and said that although this method had been criticized as a proper method of financing municipal facilities, a better plan had never been presented. He said that basically his proposal would be an amendment to the refund contract policy so that future contracts would be repaid based on the current rate structure.

Motion

Mayor Pro tem Love moved that the Council amend the refund contract so that future contracts would be repaid based on the current rate structure. The motion was seconded by Councilman Dryden.

Substitute Motion

Councilman Friedman requested that mainly because the Council had received the amendment that afternoon and because of his opposition to the process to begin with, no action be taken this night; and he moved that the Council set a public hearing for 1:00 P.M., February 21, 1974, to discuss the possible amendment of the resolution or the water refund contract ordinance. The motion, seconded by Councilman Binder, failed to carry by the following vote:

Ayes: Councilmen Binder, Friedman
Noes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler, Mayor
Pro tem Love

Councilman Binder felt that the City would have to pay more interest as it would take longer to repay than the present 12 years. Councilman Friedman stated that the developer would still be getting the same amount of money guaranteed and that other cities in the state made the developer supply the water and sewer mains when they come in with a subdivision. The Council, Mr. Norman Barker, Finance Administrator, and Mr. Curtis Johnson, Director of Water and Wastewater, discussed the current paying rate on refund contracts, the City's tax-exempt borrowing rate, and the subdivider's borrowing rate, and the effect refund contracts have on the costs of housing. Councilman Binder asked that since the City would be paying off the refund contracts slower and would be paying interest for additional years, would the cost to the City be greater. Mr. Barker stated that it would be less. Councilman Friedman felt that if the refund contract policy was not in existence and the City was not paying back to the developer, the anticipated water rate increase would not have to be as great. Mayor Butler reviewed the outstanding debt and the worth of the utilities in the ground; and he pointed out that the City Council had stopped refund contracts outside the City limits, the purpose of which originally was to promote low-cost housing and to discourage growth outside the corporate limits. He added that the policy had done that, preventing scattered development and also little districts and satellite areas around the City. He said that the refund policy had a tendency to make the developer develop the lots in his subdivision in the City limits first because he would naturally want more water customers on the line to get the utilities paid for. He stated that if the new policy was not adopted and the rates would go up, then he thought that they would be arguing on the other side. He felt that this would be protecting the financial integrity of the City and continuing the positive aspects of the system. Councilman Binder asked that an economist look at this matter.

Roll call on Mayor Pro tem Love's motion to amend the refund contract so that future contracts would be repaid based on the current rate structure showed the following vote:

Ayes: Mayor Pro tem Love, Councilmen Dryden, Handcox, Lebermann,
Mayor Butler
Noes: Councilmen Binder, Friedman

The Mayor announced that the motion had carried.

ADJOURNMENT

The Council adjourned at 10:30 P.M.

APPROVED: Ray Butler
Mayor

ATTEST:

Grace Monroe
Acting City Clerk